

**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE ARTICLE X ("THE PROCUREMENT AND REAL ESTATE CODE") OF THE ATLANTA CITY CODE IN ORDER TO ENTER INTO AN AGREEMENT WITH COMSYS INFORMATION TECHNOLOGY SERVICES INC., INC. PURSUANT TO THE ATLANTA CITY CHARTER § 6-402 FOR TEMPORARY SPECIALIZED SERVICES ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO RATIFY PROVISION OF SERVICES PERFORMED BY COMSYS INFORMATION TECHNOLOGY SERVICES INC. SINCE AUGUST 1, 2008 FOR TEMPORARY SPECIALIZED SERVICES AND PAY FOR OUTSTANDING INVOICES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-EIGHT THOUSAND SIX HUNDRED ELEVEN DOLLARS AND TWENTY-ONE CENTS (\$188,611.21); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 1001 (GENERAL FUND) 5212001 (CONSULTANT/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEMS); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") entered into a cooperative purchase agreement with Comsys Information Technology Services ("Comsys") using GTA contract GTA-000009 for temporary specialized services, pursuant to Resolution 06-R-2239 adopted by the Atlanta City Council on November 20, 2006 and approved by the Mayor on November 21, 2006; and

**WHEREAS**, the term of the agreement was for two (2) years with the option to renew the contract for eleven (11) months on a month-to-month basis, at the City's sole discretion; and

**WHEREAS**, Resolution 07-R-1937 authorized the execution of Renewal Agreement No. 1 for a period of eleven (11) months, adopted by Atlanta City Council on September 4, 2007 and approved by the Mayor on September 13, 2007; and

**WHEREAS**, the Renewal Agreement #1 expired in August 2008 and Comsys has continued to provide specialized services that are necessary functions for the City after the expiration date; and

**WHEREAS**, the GTA contract GTA-000009 between the State of Georgia and Comsys expired on June 30, 2007 and no further services can be cooperatively purchased under the expired agreement; and

**WHEREAS**, the Chief Information Officer now wishes to establish an Agreement with Comsys for one year beginning July 1, 2009 through June 30, 2010 to obtain specialized

services critical to the operation of the City's data center in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00) to be charged to and paid from Fund Account and Center number 1001 (General Fund) 5212001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information Systems), pending issuance of a Request for Proposals for specialized data center management services; and

**WHEREAS**, Comsys' performance has been satisfactory and is needed through June 30, 2010, when the Department of Procurement will be able to secure a new Agreement through its new solicitation for a temporary specialized services provider; and

**WHEREAS**, the Atlanta City Charter §6-402(f) requires the City Council to adopt legislation to approve the award of any contract not competitively procured.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1:** That the Mayor or her designee is authorized to enter into an Agreement for temporary specialized services between the City and Comsys for one (1) year, effective July 1, 2009 through June 30, 2010 in an amount not to exceed Three Hundred Thousand and NO/100 (\$ 300,000.00) Dollars.

**SECTION 2:** That the provision of temporary specialized services by Comsys to the City after the expiration of Renewal Agreement #1, from August 2008 through June 30, 2009, is ratified and accepted pursuant to the same terms and conditions of the Agreement authorized under Resolution 07-R-1937.

**SECTION 3:** That the Chief Financial Officer is authorized to make payment for the services provided after the expiration of Renewal Agreement #1 through June 30, 2009, in an amount not exceed One Hundred Eighty-Eight Thousand Six Hundred Eleven Dollars and Twenty-One Cents (\$188,611.21).

**SECTION 4:** That Article X ("The Procurement and Real Estate Code") of the Atlanta City Code is waived to the extent the additional one year term and ratification of previously-provided temporary specialized services is authorized without competition.

**SECTION 5:** That all contracted work will be charged to and paid from fund, account and center number 1001 (General Fund) 5212001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information Systems).

**SECTION 6:** That the Chief Procurement Officer is hereby authorized to prepare an appropriate Agreement for execution by the Mayor.

**SECTION 7:** That the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested

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to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Comsys.

**SECTION 8:** That all ordinances and parts of ordinances in conflict with this ordinance are waived to the extent of the conflict.

**City of Atlanta**

**Approved but not paid as of 5/7/09**

Invoice Date	Days Elapsed	Customer Sent Invoice ID	Customer Name	Balance Due	0 - 30 Days	31 - 60 Days	61 - 90 Days	91 - 120 Days	121 - 150 Days	151 - 180 Days	Over 180 Days	Invoice Amount
2/28/2009	68	662204331	City of Atlanta	12,656.25	0.00	0.00	12,656.25	0.00	0.00	0.00	0.00	12,656.25
2/28/2009	68	662204332	City of Atlanta	7,366.45	0.00	0.00	7,366.45	0.00	0.00	0.00	0.00	7,366.45
2/28/2009	68	662204334	City of Atlanta	12,037.00	0.00	0.00	12,037.00	0.00	0.00	0.00	0.00	12,037.00
3/31/2009	37	662204338	City of Atlanta	8,424.00	0.00	8,424.00	0.00	0.00	0.00	0.00	0.00	8,424.00

**Not approved and not paid as of 5/7/09**

Mar-15-09	37	662204335	City of Atlanta	13,504.00	-	13,504.00	-	-	-	-	-	13,504.00
Mar-31-09	37	662204336	City of Atlanta	8,064.76	-	8,064.76	-	-	-	-	-	8,064.76
Mar-31-09	37	662204337	City of Atlanta	15,468.00	-	15,468.00	-	-	-	-	-	15,468.00
Apr-15-09	22	662204339	City of Atlanta	13,600.00	13,600.00	-	-	-	-	-	-	13,600.00
Apr-30-09	7	662204340	City of Atlanta	930.75	930.75	-	-	-	-	-	-	930.75
Apr-30-09	7	662204341	City of Atlanta	8,424.00	8,424.00	-	-	-	-	-	-	8,424.00
Apr-30-09	7	662204342	City of Atlanta	14,136.00	14,136.00	-	-	-	-	-	-	14,136.00

**Total due as of 5/7/09 114,611.21**

RCS# 3012  
6/01/09  
3:24 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** FINANCE/EXECUTIVE

**Caption:**

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE ARTICLE X ("THE PROCUREMENT AND REAL ESTATE CODE") OF THE ATLANTA CITY CODE IN ORDER TO ENTER INTO AN AGREEMENT WITH COMSYS INFORMATION TECHNOLOGY SERVICES INC., INC. PURSUANT TO THE ATLANTA CITY CHARTER § 6-402 FOR TEMPORARY SPECIALIZED SERVICES ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO RATIFY PROVISION OF SERVICES PERFORMED BY COMSYS INFORMATION TECHNOLOGY SERVICES INC. SINCE AUGUST 1, 2008 FOR TEMPORARY SPECIALIZED SERVICES AND PAY FOR OUTSTANDING INVOICES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-EIGHT THOUSAND SIX HUNDRED ELEVEN DOLLARS AND TWENTY-ONE CENTS (\$188,611.21); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 1001 (GENERAL FUND) 5212001 (CONSULTANT/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEMS); AND FOR OTHER PURPOSES.

**Council Meeting Date:** June 15, 2009

**Requesting Dept.:** Information Technology

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

DIT would like to:

1. Enter into an Agreement with Comsys (based on Atlanta City Charter §6-402) for temporary specialized services for one (1) year, effective July 1, 2009 through June 30, 2010 in an amount not to exceed \$ 300,000.00 from the FY10 budget
2. Ratify the prior provision of temporary specialized services by Comsys to the City after the expiration of Renewal Agreement #1, from August 2008 through June 30, 2009; and
3. Make payment for the services provided after the expiration of Renewal Agreement #1 through June 30, 2009, in an amount not exceed \$188,611.21 from the FY09 budget

**2. Please provide background information regarding this legislation.**

The City entered into a 2-year cooperative purchase agreement with Comsys using GTA contract GTA-000009 for temporary specialized services, pursuant to Resolution 06-R-2239 in November of '06. In 2007 an 11-month extension was authorized by council pursuant to resolution 07-R-1937. The extension expired in August of 2008 and Comsys has continued to provide services that are critical to the operation of the Data Center. DIT needs to retain these services until a new solicitation is competitively bid.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Professional Services

(b) **Source Selection:** Special Procurement

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:** 12 Months

**4. Fund Account Center**1001 (General Fund) 5212001 (Consultant/Professional Services)  
1535000 (Data Processing/Management Information Systems)

**5. Source of Funds:**

**6. Fiscal Impact:** \$188,611.21 – FY09; \$300,000.00 – FY10

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Kathleen Lane, DIT Compliance Analyst

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Kathleen Lane

Contact Number: 404-335-1983

Originating Department: Department of Information Technology

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: May 12, 2009

Anticipated Committee Meeting Date(s): May 27<sup>th</sup> & June 9/10, 2009

Anticipated Full Council Date: June 15, 2009

Legislative Counsel's Signature: [Signature]

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

**CAPTION**

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE ARTICLE X ("THE PROCUREMENT AND REAL ESTATE CODE") OF THE ATLANTA CITY CODE IN ORDER TO ENTER INTO AN AGREEMENT WITH COMSYS INFORMATION TECHNOLOGY SERVICES INC., INC. PURSUANT TO THE ATLANTA CITY CHARTER § 6-402 FOR TEMPORARY SPECIALIZED SERVICES ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00), TO RATIFY PROVISION OF SERVICES PERFORMED BY COMSYS INFORMATION TECHNOLOGY SERVICES INC. SINCE AUGUST 1, 2008 FOR TEMPORARY SPECIALIZED SERVICES AND PAY FOR OUTSTANDING INVOICES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-EIGHT THOUSAND SIX HUNDRED ELEVEN DOLLARS AND TWENTY-ONE CENTS (\$188,611.21); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 1001 (GENERAL FUND) 5212001 (CONSULTANT/PROFESSIONAL SERVICES) 1535000 (DATA PROCESSING/MANAGEMENT INFORMATION SYSTEMS); AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: \_\_\_\_\_

(date)

Received by LC from CPO: \_\_\_\_\_

(date)

Received by Mayor's Office: [Signature]

(date)

Reviewed by: [Signature]

(date)

Submitted to Council: \_\_\_\_\_